

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Terrence Lamont Whitfield

Docket No. 5:01-CR-8-1BO

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Terrence Lamont Whitfield, who, upon an earlier plea of guilty to 21 U.S.C. §841(a)(1), Distribution of At Least 50 Grams of Cocaine Base, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 3, 2001, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Terrence Lamont Whitfield was released from custody on January 7, 2010, at which time the term of supervised release commenced.

On December 4, 2009, the conditions of release were modified to include the following additional conditions of release:

1. The defendant shall participate in mental health/sex offender treatment, evaluation testing, clinical polygraphs and other assessment instruments as directed by the probation officer. While under supervision in the Eastern District of North Carolina, the defendant shall further abide by the rules and regulations of the NCE Sex Offender Program.
2. The defendant shall submit to a search of his person, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects at any time, with or without a warrant. The search may be conducted by any law enforcement officer or probation officer with reasonable suspicion concerning a violation of a condition of supervision or unlawful conduct by the person, and by any probation officer in the lawful discharge of the officer's supervision functions.
3. The defendant shall undergo placement in a community corrections center for a period up to 90 days or until he establishes an acceptable residence approved by the probation office and shall abide by the conditions of that program during said placement.

On April 4, 2012, the court was notified that the defendant had tested positive for marijuana on April 4, 2012. The defendant was placed back in our Surprise Urinalysis Program and individual counseling with our local substance abuse counselor.

On July 20, 2012, the conditions of release were modified to include 5 days incarceration after the defendant tested positive for cocaine on June 18, 2012.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant tested positive for cocaine on July 18, 2012. When confronted, the defendant admitted to the use of cocaine on or about July 15 or 16, 2012. It is recommended that the defendant continue in our Surprise Urinalysis Program and individual and group substance abuse counseling along with 10 days incarceration.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 10 days, commencing as soon as can be arranged, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: August 7, 2012

ORDER OF COURT

Considered and ordered this 13 day of August, 2012, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge